

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6692

BILL NUMBER: HB 1200

NOTE PREPARED: Dec 31, 2005

BILL AMENDED:

SUBJECT: Employment Absence for Orders for Protection.

FIRST AUTHOR: Rep. Hoy

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X **GENERAL**
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill provides that an individual is entitled to take unpaid leave from the individual's employment to file a petition for an order for protection or, after receiving notice of a hearing on the individual's petition, to attend the hearing. The bill provides that an employer that dismisses an employee, deprives the employee of employment benefits, or threatens a dismissal or deprivation of benefits because the employee filed a petition for an order for protection, received notification of the hearing on the petition, or attended the hearing commits a Class B misdemeanor.

Effective Date: July 1, 2006.

Explanation of State Expenditures: This bill requires an employer to allow an employee to take unpaid leave if they (1) file for an order of protection or (2) are notified from a court of a hearing on an order and must attend.

This bill could result in indeterminable productivity losses which may occur from current staff having to absorb the temporary workload changes or the productivity losses which might occur when an employee takes unpaid leave. This impact could occur in both state and local government agencies.

Explanation of State Revenues: *Penalty Provision:* The bill also makes it a Class B misdemeanor to knowingly or intentionally (1) dismiss an employee, (2) deprive an employee of employment benefits, or (3) threaten dismissal or deprivation because the employee has filed a petition for an order of protection, received a notification of the date of a hearing, or attended a hearing on a protection order. If additional court cases occur and fines are collected, revenue to both the Common School Fund (from fines) and the state General

Fund (from court fees) would increase. The maximum fine for a Class B misdemeanor is \$1,000. However, any additional revenue would likely be small.

Explanation of Local Expenditures: *Penalty Provision:* A Class B misdemeanor is punishable by up to 180 days in jail.

See *Explanation of State Expenditures*.

Explanation of Local Revenues: *Penalty Provision:* If additional court actions occur and a guilty verdict is entered, local governments would receive revenue from court fees. However, any change in revenue would likely be small.

State Agencies Affected: All, as employers.

Local Agencies Affected: All, as employers; Trial courts, local law enforcement agencies.

Information Sources:

Fiscal Analyst: Sarah Brooks, 317-232-9559.